

July 18, 2008

The Honorable Shira A. Scheindlin
United States District Judge
500 Pearl Street
Room 1620
New York, New York 10007

**Re: United States v. Angelo Nicosia
S1 07 Cr. 907 (SAS)**

Dear Judge Scheindlin:

We are in receipt of the government's proposed examination of jurors as well as the request to charge.

Proposed Examination of Jurors

In general, we agree with the sum and substance of the government's proposed examination of jurors. However, we do request a stronger admonition that the alleged association with the Genovese crime family is just that, an allegation. The jury should also be instructed that Mr. Nicosia's alleged association with the Genovese crime family is a fact that must be proven beyond a reasonable doubt by the government based upon the evidence adduced at trial. Finally, we request a specific inquiry into whether the jury will draw an adverse

inference from the fact that Mr. Nicosia is of Italian descent.

Requests to Charge

We respectfully reserve any objection to the government's proposed jury charge until such time, as the charge conference is conducted.

Respectfully,

/s/ Daniel J. Welsh
Daniel J. Welsh, Esq.

DJW:ar

cc: Elie Honig, AUSA